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ABSTRACT

Defining law-related education (LRE) as "education to equip nonlawyers with knowledge and skills pertaining to the law, the legal process, and the legal system, and the fundamental principles and values on which these are based, this Digest outlines four essential elements of LRE. These are: (1) subject matter and concepts; (2) instructional strategies and contexts; (3) skills; and (4) attitudes, beliefs, and values. Together, they provide K-12 students with active learning experiences that enhance their ability to explore rights and responsibilities under the law, confront and resolve disputes, and discuss and analyze public issues. The digest contains a five-item bibliography. (LH)

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ESSENTIALS OF LAW-RELATED EDUCATION

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ESSENTIALS OF LAW-RELATED EDUCATION

Essentials of Law-Related Education: A Guide for Practitioners and Policymakers is a statement of the goals and content of law-related education (LRE). Developed by the American Bar Association's Special Committee on Youth Education for Citizenship in 1995, *Essentials of Law-Related Education* concentrates on four areas: (1) subject matter and concepts; (2) instructional strategies and contexts; (3) skills; and (4) attitudes, beliefs, and values. Together, they provide K-12 students with active learning experiences that enhance their ability to explore rights and responsibilities under the law, confront and resolve disputes, and discuss and analyze public issues. This digest summarizes the original *Essentials* document.

LRE has been defined as "education to equip nonlawyers with knowledge and skills pertaining to the law, the legal process, and the legal system, and the fundamental principles and values on which these are based" (Law-Related Education Act of 1978). LRE is typically understood to foster the knowledge, skills, and values that students need to function effectively in our pluralistic, democratic society based on the rule of law. Law-related educators strive to develop the active citizens our society requires: those who can understand, live in, and contribute positively to the civic communities to which they belong.

Law saturates our lives irrespective of age or setting. Consequently, LRE focuses on real issues that affect real people in real situations. Through LRE, educators seek to elucidate essential concepts—including law, power, justice, liberty, and equality—fundamental to our constitutional democracy and to the structure and functioning of other societies. LRE enables educators to teach how the law and legal issues are essential to the functioning of politics, culture, and society. In so doing, it explores how the law affects students and how they, in turn, can affect the law. LRE strives to illuminate the substantive and procedural values underlying our legal system, fostering the formation of beliefs and attitudes that support such values.

What Subject Matter Is Essential? Concepts central to LRE include law, justice, power, equality, property, and liberty. Through LRE, teachers can teach what abstract concepts such as "liberty" actually mean through examination of specific contexts and practices. For example, they can help students understand "liberty" by giving them opportunities to learn about liberties guaranteed under the U.S. Constitution. With that knowledge, students can become aware that such liberties can still be the source for continuing controversies in contemporary society, such as when individual liberties conflict with majority values or public policy priorities.

The relationship between citizen and society is essential to LRE, which should illustrate significant connections between students and larger communities, such as town, nation, and world. Some law-related educators might focus primarily on law that affect the daily lives of all people, including criminal and civil law. Others might concentrate on fundamental legal concepts and principles, including their origins, evolution, and contemporary influence and impact. Still others might stress the application of LRE principles and skills in specific real-world situations, both personal and civic. LRE instruction should recognize that government use of power and authority can bring both order and the risk of abuse. Law-related educators might help students understand that the Constitution limits governmental power by separating, and sharing it. Educators might also ask students to ponder the relationship between power and law, considering such topics as civil disobedience, conscientious objection, capital punishment, and victimless crimes.

LRE emphasizes the role of due process of law as essential to justice in our system of governance. Teachers might focus on justice through civil, criminal, and juvenile law, or through such topics as mercy killing or cruel and unusual punishment. In dealing with equality, teachers might have students study issues of racial or gender discrimination, voting rights, or affirmative action. In so doing, students will be able to reflect on the difference between equal opportunity as a constitutional ideal and as a day-to-day reality.

How and Where Should LRE be Taught? Law-related educators should require students to participate actively in their own learning. For instance, by using role play in the classroom, teachers can encourage students to voice diverse opinions about legal issues. By having students compare and contrast several court decisions on one issue, teachers can encourage students to address judicial decisions in historical context, assess the role of precedent, and comprehend the nature of historical and social change. In helping students stage mock trials, teachers can enable students to experience the judicial process.

The classroom that best fosters LRE is student focused. The ideal LRE classroom acts as a forum where students can freely

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Adapted by Robert S. Leming, Director of the Indiana Program for Law-Related Education of the Social Studies Development Center, Indiana University.

discuss conflicting ideas. In drawing such ideas from a cross-section of subjects, teachers give students a taste of the complexity of legal issues. LRE classrooms should have diverse, high-quality resources that provide students with the information they need while conveying the fact that different people can legitimately and reasonably have different opinions and perspectives on issues. Enlisting LRE professionals (lawyers, law-enforcement professionals, judges, scholars, for example) from the community as human resources for in-class and out-of-class instruction is an essential means by which LRE meets students' needs in these respects.

LRE does not need to be restricted to one class, course, or subject area. The constellation of values, knowledge, and skills that comprise LRE can be woven throughout the school curriculum beginning in the primary grades. Effective LRE programs should consist of carefully planned, integrated, sequenced, and cumulative instructional experiences. For instance, beginning with the early grades, LRE might emphasize fundamental concepts and values such as justice, liberty, and equality. In later grades, such concepts and values can be addressed through examination of more complex issues and dimensions of our shared constitutional ideals, and their national and global implications.

What Skills Should LRE Foster? Law-related educators should help students develop the skills needed to acquire information about the role of law in constitutional democracies and other societies and how it is connected to their lives; how they can communicate their ideas, beliefs, and opinions about the law and legal issues; and how they can actively and constructively participate in group or broader civic affairs. Thinking skills developed in LRE include analyzing and interpreting judicial opinions and other legal documents; developing a capacity for understanding when and how laws apply to specific fact situations; critically assessing laws and legal issues; and developing a capacity for understanding and evaluating controversies and conflicts arising from legal issues. LRE also develops students' communication and social participation skills, including persuading others regarding beliefs and actions related to the law; participating collectively in making rules and setting goals; building consensus through deliberation, negotiation, compromise, and conflict resolution; and working cooperatively to make decisions and take actions concerning hypothetical or actual legal and law-related social issues.

What Attitudes, Beliefs, and Values Should LRE Foster? LRE does more than provide students with information about the law and legal issues while developing essential skills. It also cultivates certain attitudes, beliefs, and values in students as both essential preconditions for, and outcomes of, students' understanding in LRE. These essential attitudes, beliefs, and values include a commitment to constitutional democracy; dedication to the ideal of justice in society; informed, active, and responsible participation in civic life; respect for the fundamental dignity and rights of humans; and appreciation for legitimately resolving societal conflicts and differences. LRE helps students understand both how law reflects and shapes collective values, beliefs, and dispositions and, in turn, how collective values, beliefs, and dispositions reflect and shape law. In so doing, LRE also helps students understand how law can and has promoted social cohesion and effected social change.

How Can You Obtain *Essentials of Law-Related Education?* *Essentials of Law-Related Education* can be obtained by writing to the ABA/YEFC, 541 North Fairbanks Court, Chicago, IL 60611-3314 or by calling 312/988-5735. The price per copy is $3.00 + $2.00 s/h; orders should be pre-paid.

References and ERIC Resources

The following list of resources includes references used to prepare this Digest. The items followed by an ED number are available in microfiche and/or paper copies from the ERIC Document Reproduction Service (EDRS). For information about prices, contact EDRS, 7420 Fullerton Road, Suite 110, Springfield, Virginia 22153-2842; telephone numbers are 703/440-1440 and 800/443-3742. Entries followed by an EJ number, annotated monthly in CURRENT INDEX TO JOURNALS IN EDUCATION (CIJE), are not available through EDRS. However, they can be located in the journal sections of most larger libraries by using the bibliographic information provided, requested through Interlibrary Loan, or ordered from the UMI reprint service.

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